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Public School Desegregation in America: How School Desegregation Became the Most Important Medium for Advancing Social Justice.

Michael Huening
East Tennessee State University

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Introduction

To begin discussing any topic in American history, the topic of race relations has to be addressed. Race relations have penetrated every aspect of society within America. Whether it is the case of the Native Americans, the Irish, immigrants from other countries, or a discussion on the history of African Americans, American life has been defined in part by race. In particular, the relation between African Americans and White Americans has been the most dynamic and has had the most impact on American history.

Since the first Africans were brought over to the Colonies, a repressive relationship developed between slave owners and their slaves. However, sprinkled through this terrible past are areas of positive movement towards greater social justice. Abolitionists, religious members, early social reformers, and skilled black leadership have sought to lessen the suffering of African Americans since the 1700s. Yet, even with these groups attempting to rid slavery from American society, racism still exists to this day. Although still a facet of American life, acts of racism and discrimination are not nearly as explicit now as they were before WWII.

The purpose of this work is to identify the key changes in the movement for social justice for African Americans. Great strides in advancement of social justice started to occur just after the Second World War. Issues of ideology, foreign policy, advancement in education, and growing activism led to what is known as the Civil Rights Movement. The Civil Rights Movement was the largest, most collective push by African Americans and their supporters to eliminate legal and societal oppression. Measured by the passage of the Civil Rights Act of 1964, the Voting Act of 1965, and the equal opportunity employment section of Lyndon Johnson's Executive Order 11246 the movement was

considered a success. Those victories certainly helped African Americans experience greater equality and opportunities to better their lives. The fact remains however, that there was more work to be done.

The aid of the federal government cannot be underestimated in regards to how instrumental it was to secure rights for African Americans, but this work will argue that social justice was advanced in large part because of education, both the ideological impact as well as the social impact. Education is seen by many to be the great equalizer and when a group has been disenfranchised for hundreds of years, advancement in education becomes that much more important. The public educational system in America was and still is imperative to eradicating social injustice. This work will show the benefits of and explain how the public educational system was used in the struggle to secure social justice for African Americans.

In chapter one, I discuss the terms and importance of social justice. It is essential to understand what social justice is so society can actively seek it. This chapter also goes into the inner workings of the public school system and provides a background to the importance of the school setting. Chapter two discusses the Civil Rights Movement and other important facets to social justice guarantees for African Americans. Along with providing a background of the increased efforts for social justice, the chapter also shows just how necessary proper education was to the advancement of African Americans. School desegregation was a major part of this reform and the chapter identifies the reasons for school desegregation, such as the Supreme Court case of *Brown v. Board of Education*.

Chapter three begins to break down the effects of school desegregation. The chapter discusses the goals and hopes of those who implemented school desegregation. Along with the benefits of school desegregation discussion on this topic has to include the opposition that surrounded measures of school desegregation. Examples of white resistant to these advances of social justice are explained here as well. The fourth chapter takes a look at integration in higher education, affirmative action, and how the public has viewed desegregation. Higher education provided a different vantage point on social justice and school desegregation. Yet, the experience of desegregation and social justice in higher education did a lot to advance and explain social justice as well.

This work seeks to identify the success of school desegregation in the face of a complex society as it pertains to racial issues. Race issues today stem from many different injustices that occurred in the past and, therefore, many of the solutions today have many points of origin. But it is the desegregation of the school system that provided the best and most effective means to solving social injustice. In discussing the continual struggle over what it means to be an American, this work argues that America would not have had the level of social justice it does today if the schools were left segregated and there was not the push for greater education among its youth. This work will also establish how African Americans made social justice a central issue of American political discourse and policy.

I

Social Justice and its origins

Today the term social justice is universal and common in most discussions centering on societal conditions, but that was not always the case. Before the Civil Rights Movement the discussion on social justice only reached national priority for a brief few years during the American Progressive Era, only to again drift towards the edges of political life after the First World War. In the decades following 1950 the pursuit of social justice sped up. The combination of a changing global atmosphere and an increased ferocity in the manner in which African Americans were calling for the securing of their rights led to great victories for social justice in 1960s and 1970s America.

Social justice is the view that every person deserves equal economic, political and social rights and opportunities.[1] Deriving from the word justice, proponents of social justice sought to extend compensation from one individual to another to include compensation from one racial or economic group to another. The earliest attempts to try and define justice started with the early Greeks, with men such as Aristotle and Plato.[2] Throughout the ages those who took on the task tended to focus more on respecting individual rights, rather then attributing justice to a larger group. It was not until the second half of the 20th century, and, more specifically, the 1960s and 1970s, that the term

[1] National Association of Social Workers, "Social Justice," NASW, http://www.socialworkers.org/pressroom/features/issue/peace.asp (accessed November 5, 2012).

[2] Samuel, Fleischacker, *A Short History of Distributive Justice* (Cambridge, MA: Harvard University Press), 2005.

social justice expanded from justice and sought to advance the rights of particular disadvantaged groups of people.

Individuals committed to social justice confess that much of their work comes from thinkers such as Aristotle, Plato, John Locke, and Rousseau. However, some, such as David Miller, state that the term social justice has only been used in political discourse since the late nineteenth century.[3] Once the term social justice became a part of the political discussion, new ideas started to be drawn about societal conditions. Ben Jackson of Mansfield College, in Oxford, gives his position on social justice. There are, in Jackson's view, three important assumptions that need to be made in order for social justice to be understood. First, there needs to be a bounded society where it can be determined what membership is and what it is that the person deserves as a fair share. Second, there must be an identifiable institution that harbors the ideals of this justice and has a method for tracking the institutional changes on the individual's life. Finally, there has to be a stable and capable institution from which these changes can be placed and adhered to within that society.[4] Jackson's parameters for social justice were not possible until the late nineteenth century, which is why social justice was not a frequently discussed idea.

Similar to Jackson's view, Samuel Fleischacker, author of *A Short History of Distributive Justice*, tries to explain how we got from the Aristotelian meaning of justice to today's ideas of social justice and justice. He notes that initially it was an idea of property claim, and that a form of distribution needed to take place in order for there to

[3] Ben Jackson, "The Conceptual History of Social Justice" *Political Studies Review* 3, (2005), 356–373.

[4] Ben Jackson, "The Conceptual History of Social Justice."

be justice. While there was a sense of allocating resources throughout society, there was not a real effort to administer social justice throughout a community. The conclusion of World War Two allowed for the fusion between Jackson's three parameters and Fleischacker's discussion of the need for distribution to occur between two members of society before there could be justice. The result was a push for social justice for disadvantaged Americans, primarily African Americans.

Fleischacker, as well as many other scholars of social justice, focused heavily on the issue of class struggle throughout time. The Scientific Revolution and Industrial Revolution both had a lot to do with the advancement of thought on social justice.[5] Social justice was achieved on a relatively small scale by way of Christianity. The harshness of the Industrial Revolution was subdued to a degree by the charity and aims of the Christian community during the years of 1890-1929. But the charity offered from religious groups failed to fully accommodate the needs of the poor within the system, leaving a growing problem to fester.

America was in need of significant help in regards to the social injustices present at the turn of the 20th century. Wealthy companies formed trusts that exploited the working class, manipulated government policy, and drove immigrants to live in dreadful conditions. Theodore Roosevelt is seen as one of the first important political leaders in American history to push for social change. He started tackling social injustice by busting the trusts that were keeping the working class in a disadvantaged state. Roosevelt fought for social change and for a balance between rights and civic duty that would live up to the

[5] Samuel, Fleischacker, *A Short History of Distributive Justice*.

ideals of his nations' creed.[6] Popular opinion in support of social justice increased as the Industrial Revolution brought new wealth and power to America. This new energy, along with the reform spirit of the Progressive movement, had posed an important question of America's future: Just who would make up this great nation of freedom and equality? The Progressive movement started the discussion on social justice by realizing that America's creed was being violated by the unequal and social unjust treatment of some of its citizens.[7] New industrialization, immigrants, economic transformation, and political upheaval demanded new discussion on how to define America.

Two political ideals would battle over what criteria described a member of America. One side sought to fully incorporate a nation that would be representative of the American Creed. The other sought to racially decide who would represent American.[8] Eventually, civic nationalism (nationalism based on the American Creed) would preside, but there would be challenges to aligning America's future with civic nationalism as shown throughout the volatile experience that was the Civil Rights Movement. The American Creed as stated by William Tyler Page, in 1917, contained the idea that America was "established upon those principles of freedom, equality, justice, and humanity for which American patriots sacrificed their lives and fortunes."[9] Gary Gerstle,

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[6] Sidney Milkis, *Theodore Roosevelt, the Progressive Party, and the Transformation of American Democracy* (Lawrence, KS: University Press of Kansas), 2009.

[7] Carol Weksser, ed. *Social Justice: Opposing Viewpoints*. "The U. S. Constitution Guarantees Social Justice" Robert Goldwin. (San Diego: Greenhaven Press, Inc.), 1990.

[8] Gary Gerstle, *American Crucible: Race and Nation in the Twentieth Century* (Princeton: Princeton University Press), 2001.

[9] William Tyler Page, "Historical Documents: The American's Creed," Independence Hall Association, http://www.ushistory.org/documents/creed.htm (accessed November 19, 2012).

author of *American Crucible,* argues that racial and civic nationalism were at odds, hand and hand, and blurred together in the minds of those American elites who debated just what it meant to be "American."[10]

Racial Ideologies of America's history

From inception to the turn of the 20th century, instances of racial prejudice were abundant in America. Whether it was the removal of the Indians, the practice of slavery or hatred toward new immigrants there has always been some form of social injustice. The idea of Anglo-Saxon dominance was thought of as the proper and true way to build American culture.[11] America's early leaders established a country for white men and left the opportunities to vote and receive formal education to prominent white men. In part, slavery has proven to cause lasting social problems within America.

Heated debates over the issue of slavery occurred during the Constitutional Convention of 1787. Members of the convention compromised with the South and did not eliminate slavery within the Constitution, which strongly violated the notion of freedom and equality that many thought they were creating.[12] Although a provision was agreed upon allowing the federal government to end the slave trade in 1808, it was clear that America's early leaders were not overly concerned with social justice for African Americans.

While many Americans were content to continue to pass the issue of slavery along to the next generation, there was some whom sought change. Luther Martin of

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[10] Gary Gerstle, *American Crucible: Race and Nation in the Twentieth Century*, 15-30.

[11] Gary Gerstle, *American Crucible: Race and Nation in the Twentieth Century*.

[12] "The Major Debates at the Constitutional Convention," Constitutional Rights Foundation. *Bill of Rights in Action.* 25, (Fall 2009).

Maryland believed that slavery was "inconsistent with the principles of the revolution and dishonorable to the American character," and thought that Congress should eradicate slavery.[13] Americans had launched a war based on injustice and now had to confront the injustice within their new nation. With the seeds of "liberty and justice for all" planted, it seemed inevitable that America's racial ideals would come into conflict with the American Creed.[14] Sadly, it would take many decades before the institution of slavery was declared against the law.

Beginnings of Social Justice and its ties to Education

The years preceding the Civil Rights Movement did begin to correct some social injustice in regards to economic security, but ultimately fell short. Theodore Roosevelt's Progressive party had taken a back seat to the success of capitalism after WWI. The Jim Crow South had a firm grasp over the lives of African Americans, and the North and West continued to discriminate against African Americans.

After the Stock Market crash of 1929 and the subsequent Great Depression, progressives started to gain strength as they set out to prevent the experience of the Great Depression from happening again. Throughout the period of 1930 to 1939, countless programs were created that strengthened the power of the state through its institutions. These institutions were designed by Franklin Roosevelt and his allies in Congress to promote economic justice, which is a facet of social justice. Torchbearers of FDR's vision continued to push for social justice in America. From President Harry Truman's order to desegregate the military to President Lyndon Johnson's Great Society, African

[13] "The Major Debates at the Constitutional Convention," Constitutional Rights Foundation. *Bill of Rights in Action.* 25, (Fall 2009).

[14] Gary Gerstle, *American Crucible: Race and Nation in the Twentieth Century*.

Americans would push political leaders to advance social justice through governmental institutions.[15]

The idea of complete social justice would be impossible without an institution that promoted and tracked educational advances. The idea of social justice blossomed only when education was of the importance. The Enlightenment era placed a newfound importance on education. Collectively, European countries are noted for advancing intellectual ideas that attempted to fix societal ills of their time. Practically, all ideas used in the founding of America and within its educational system stem from ideas formed during the Enlightenment.[16]

Education in colonial America first started as a means to educate young men to become ministers, most often males from wealthy white families who could afford the tuition. Public education was not really a well-practiced system until the mid-1800s when states provided greater assistance. In the colonial period, however, there were a few publicly funded schools and they did have a limited meaning then because there was a real effort to exclude the African slaves. Although the religious members of the colonies would challenge the status quo, most of their aims were to educate the Africans so they could receive salvation, rather than advance in secular aspects.[17] The support for educating slaves by religious institutions produced a nominal degree of change in social justice for African Americans.

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[15] Lawson, Steven, "Debating the Civil Rights Movement: The View from the Nation," *Debating the Civil Rights Movement, 1945-1968*. (Lanham, Maryland: Rowman and Littlefield), 1998, 7-39.

[16] Paul Monroe, Founding of the American Public School System: A History of Education in the United States (New York: The Macmillan Company), 1940.

[17] Carter G, Woodson, The Education Of The Negro Prior To 1861: A History Of The Education Of The Colored People Of The United States From The Beginning Of Slavery To The Civil War (Whitefish, MT: Kessinger Publishing), 2004.

Educating slaves was a very serious issue for slave owners; therefore, they outlawed the practice. Literature from men such as Rousseau, Montesquieu, and Locke discussed man's present position and concluded that the current systems of government were oppressing social justice. They also put forth ideas like man was born free and arguing that natural laws place all humans on an equal standing, these ideals greatly aided the search for social justice. Ideas such as this quote from John Locke's *Second Treaties on Government*, "To understand political power right, and derive it from its original, we must consider, what state all men are naturally in, and that is, a state of perfect freedom to order their actions, and dispose of their possessions and persons, as they think fit, within the bounds of the law of nature, without asking leave, or depending upon the will of any other man."[18] If a slave would have been able to read and understand what these men were writing it would have produced stronger revolts, thus proving why white slave owners took great care to hold slaves in a state of ignorance and prevent others within the country from aiding African Americans. They also believed that the more slaves were educated the more rebellious they would become. So, slaveholders made great attempts to keep slaves as uneducated as possible.[19]

History of Public Education

The roots of American education followed the apprenticeship and home learning style that was custom in Europe in the seventeenth century.[20] Later as the children aged, they would gain more knowledge by the father's side in the fields. It is important to note

[18] John Locke, *The Second Treatise of Government* (*New* York: Barnes and Noble Publishing Inc., 2004, Originally Published in 1690), 3-5.

[19] Carter Woodson, *The Educating of the Negro Prior to 1861*, 9-12.

[20] Robert Peterson, "Education in Colonial America," *The Freeman: Ideas on Liberty* 33, no. 9 (September 1983) http://www.thefreemanonline.org/columns/education-in-colonial-america/ (accessed December 4, 2011).

that of the schools and universities founded in the colonies they were not like the state-run institutions that we know today. While it is true that schools had to be chartered, they were ran and funded by the local community.[21] The amount and type of education was carefully administered to the proper individuals, usually based on the wealth or status of the family. Those of high society would go to the university and the grammar schools; those of the lower classes would learn the minimal amount of education elites thought they needed to learn.[22] The agrarian culture of the colonies gave no great need for children to acquire an education, especially young African Americans.

The Puritan colony of Massachusetts exemplifies the role of religion and education that was administered throughout the colonies.[23] The Puritans left a legacy of maintaining education within Massachusetts, which would spread throughout all the colonies. Entwined with religion, the purpose of education was to establish a community that could read and understand the values of Puritanism as well as establish a higher education system that could produce ministers. In 1636, Harvard University was established to teach Latin and produce ministers that could, in turn, lead the community.[24]

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[21] Robert Peterson, "Education in Colonial America," *The Freeman: Ideas on Liberty* 33, no. 9 (September 1983).

[22] Gelbrich, Judy, "Section II- American Education, Part I: Colonial America." American Education, http://oregonstate.edu/instruct/ed416/ae1.html (accessed December 2, 2011).

[23] Edmund Morgan, *The Puritan Dilemma: The Story of John Winthrop* (New York: Pearson Longman), 2007.

[24] Harvard College, "About Harvard College: A Brief History of Harvard College." Harvard College, http://www.college.harvard.edu/icb/icb (accessed December 3, 2012).

Going further with the colonies' educational commitment, the towns established free Latin schools in order to prepare boys for admittance to Harvard.[25]

While New England towns had a more formal style of education than the rest of the colonies, the practices there eventually were found elsewhere. Laws such as the Massachusetts Laws of 1642 and 1647 made education a local governmental issue. The Law of 1647 required that towns of fifty households should appoint a teacher of reading and writing and provide for his wage as the town might determine; and that towns having one hundred households must provide a Latin grammar school to prepare youth for the university under a penalty of five pounds for failure to do so.[26] This was the crude start to the system of public schooling we have today. Changing from a highly localized institution with a religious focus to a federal and state run system was due in large part to the growing pressure of social justice.

The change from a locally ran system to a federally ran one would take many decades and face fierce opposition. The majority of colonial Americans, as well as future Americans did not seek advancement of African Americans.

> The increased migration of fugitives and free Negroes to the asylum of Northern States caused certain communities of that section to feel that they were about to be overrun by undesirable persons who could not be easily assimilated. The subsequent anti−abolition riots in the North made it difficult for friends of the Negroes to raise funds to educate them. Free persons of color were not allowed to open schools in some places, teachers of Negroes were driven from their stations, and colored schoolhouses were burned.[27]

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[25] Ellwood P. Cubberley, *Public Education in the United States: A Study and Interpretation of American Education History* (Cambridge, MA: The Riverside Press), 1947.

[26] Ellwood P. Cubberley, *Public Education in the United States: A Study and Interpretation of American Education History*.

[27] Carter G. Woodson, *The Education of the Negro Prior to 1861,* 20-25.

African Americans were not only treated as second-class citizens in the South; it could be just as hostile for them in the North. The attitude of some in the North towards the newly migrated freedmen was similar to the attitudes of most in the Southern states. White citizens of the North feared a loss of their lifestyle and made it difficult for the new arrivals to make a better life.

By making it impossible for large-scale education of African Americans, white Southerners had established a system that separated the races. The foundation and policy for public schools in the country fell under the jurisdiction of the states. The Bill of Rights states in the Tenth Amendment that any powers not granted to the federal government, nor denied to the states, is reserved for the states, or the people.[28] However, the late nineteenth century ushered in new ideas concerning education that were more formal. Many politicians and national leaders were encouraged by the boisterous new attitude and focused more intently on education.[29] During this phase in America there was a hope for a bright future ahead. Governors of slave states, such Henry Wise of Virginia, stated, "Give to all, rich and poor, equally the mean of instruction," and were backing that up with the formation of free schools in cities where those who could not afford education were able to attend.[30]

Most cities had some version of a free school that served as the basis of public education. The cities, however, had a different scenario than the rural areas did. There

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[28] U.S. Government, "Bill of Rights." The Charter of Freedom, http://www.archives.gov/exhibits/charters/bill_of_rights_transcript.html (accessed on December 4, 2011).

[29] Ellwood P. Cubberley, *Public Education in the United States: A Study and Interpretation of American Education History*.

[30] Edgar Knight, *Public Education in the South,* (New York: Ginn and Company), 1922.

was a greater population of citizens who could not afford education living in the cities. This led to citizens in cities to call for an abolishment of the rate-bill. The rate- bill school preceded the public school system. The rate-bill school called for the parent to supplement the school financially in return for the child to attend that school.[31] The rate-bill style was similar to the old pauper-school system of England. The pauper-school system separated the classes and educated them differently. The education of the poor was left to the churches and similar places that offered free education. However, in this new republic this system caused confusion and disgust among Americans. It was summed up by Virginia Governor Henry Wise around 1857, "Is it right to take the property of the many and bestow it exclusively on the few? …they are the privileged class, the aristocracy of poverty. Now is it right to exclude from all the benefits of the literary fund all the children of this glorious old commonwealth except those who put in the plea of rags and dirt? Can this injustice and partiality benefit the poor children?"[32] In order for all citizens to enjoy the benefits that America can provide there needs to be a more equal system to educate the youth.

The rate bill would not last; states began to hold votes, like New York's in 1850, on whether or not to move to a free school system. The passage of the referendum by a vote of 249,872 to 91,952 signaled the early development of the modern system of public education. Just before the turn of the 20th century, the states were taking greater control and interest in education. Early capitalists and nation-building enthusiasts found it

[31] Edgar Knight, *Public Education in the South.*
[32] Edgar Knight, *Public Education in the South*

beneficial to promote and establish a public system of education.[33] Inside the urban areas of the Northeast capitalist leaders found it beneficial to business for individuals to be educated. Most notable in regards to the wave after wave of immigrants, public schools taught them how to be "American," how to socialize, and forge relationships with other citizens. In the rural areas of the country, particularly the South, there was the same intent to use the public school institution as a means to cultivating a particular way of life.

White students in the South attended public schools and grew to embody a sense of superiority over African Americans. Moreover, Jim Crow laws made it hard for African Americans to fund schools and because of slavery not many African Americans had enough educational training to teach others.[34] It would become apparent to early advocates of African American rights that that African Americans needed to be a part of the public education system on a desegregated basis in the United States for numerous reasons. The public education system had become an identifiable institution needed for advancement of social justice. The issue now was that the system excluded a large segment of the American population and before advancement in social justice could reach its full potential African Americans needed to be incorporated.

[33] John W. Meyer, David Tyack, Joanne Nagel and Audri Gordon, "Public Education as Nation-Building in America: Enrollments and Bureaucratization in the American States, 1870-1930," *American Journal of Sociology*. 85, (November, 1979), 591-613.

[34] Edgar Knight, *Public Education in the South*

II

Civil Rights and Desegregation

Many civil rights leaders were often highly educated African Americans; they understood the value of an education. The struggle for equality often forced African Americans to make the most of their current conditions. Prominent leaders were well aware that the black schools were significantly lacking in comparison to the white schools. But they were determined to get the most out of their schools until segregation was overturned. Men such as Martin Luther King Jr., Roy Wilkins, and A. Phillip Randolph were determined to achieve social justice by way of education and the changing of social norms. African Americans risked life, limb, and freedom in trying to secure social justice, and, while the days seemed dark, social justice would be eventually be achieved.

Reconstruction ended as federal troops pulled out of the South in 1877, allowing for the Democratic Party to dominate political life in the South.[35] Southern Democrats secured political power on a platform of racial supremacy. Shortly after Southern Democrats assumed political power they passed a series of laws in their respective states, referred to as black codes, with the aims of keeping African-Americans second-class citizens. In addition these laws were also designed to keep the races separate in every aspect of life, and in doing so creating a sense of white superiority.[36] In1896, the

[35] The Geography of Race in the U.S., "Race, Voting Rights, and Segregation: Rise and Fall of the Black Voter, 1868-1922," www.umich.edu/lawrace/votetour.htm (accessed December 20, 2012).

[36] Martin Luther King Jr. National Historical Site, "Jim Crow Laws," National Park Service, www.nps.gov/malu/forteachers/jim_crow_laws.htm. (accessed October 15, 2012).

Supreme Court ruled separate-but-equal constitutional in the *Plessy v. Ferguson* case.[37] Variations of segregationist laws could be found in states from the Northeast to California to the South, but the most extreme and numerous Jim Crow laws were found in the Southern states.

Every state within the South had a law that declared that separate schools must be arranged for the two races. A law in Missouri stated; "Separate free schools shall be established for the education of children of African descent; and it shall be unlawful for any colored child to attend any white school, or any white child to attend a colored school."[38] Many other laws were passed that banned any type of public showing of interracial efforts, all with the hopes of maintaining white supremacy. Such laws banning interracial marriage, mixed militia, or integrated railroad cars could be found all over the nation. The Arizona state legislature decreed, "The marriage of a person of Caucasian blood with a Negro, Mongolian, Malay, or Hindu shall be null and void." North Carolina outlawed integrated militia saying, "The white and colored militia shall be separately enrolled, and shall never be compelled to serve in the same organization. No organization of colored troops shall be permitted where white troops are available, and where whites permitted to be organized, colored troops shall be under the command of white officers."

Even Northern states had laws on the books such as Maryland's law against integrated railroads; "All railroad companies and corporations, and all persons running or operating cars or coaches by steam on any railroad line or track in the State of Maryland, for the transportation of passengers, are hereby required to provide separate cars or

[37] *Plessy v. Ferguson*, 163 U.S. 537 (1896)
[38] Martin Luther King Jr. National Historical Site, "Jim Crow Laws."

coaches for the travel and transportation of the white and colored passengers."[39] Many white Americans, simply put, were not ready to grant equality to African Americans. While the Thirteenth and Fourteenth Amendments sought to limit mistreatment of African Americans, the *Plessy* case ultimately made them socially invalid. White Americans continued to build institutions that excluded African Americans, particularly in the public education system.

Societal trends had long established a dominant Anglo-Saxon white tradition in America. Passed down from generation to generation, white Americans appreciated and felt entitled to their privileged position on top of society. Evident from the passage of the "Jim Crow" laws and the ruling in *Plessy v. Ferguson*, African-Americans could find no refuge from discrimination prior to 1954 in America. Even among whites that marched along side blacks during the Civil Rights Movement, African Americans felt that the whites had an air about them that suggested their race was slightly elevated over theirs.[40]

Group effort for Social Justice

The years prior to the Second World War saw an African American community that was becoming more unified. The NAACP (National Association for the Advancement of Colored People) was founded in 1909 and set forth to legally challenge the case for equal rights in Congress and the courts.[41] The NAACP proved successful in the succeeding years. These early members of the NAACP were educated in colleges and seminary schools that had goals of eradicating social injustice. Schools like Howard

[39] Martin Luther King Jr. National Historical Site, "Jim Crow Laws," National Park Service, www.nps.gov/malu/forteachers/jim_crow_laws.htm.

[40] Charles Levy and Creole Charlie, Voluntary Servitude; Whites in the Negro Movement (New York: Appleton-Century-Crofts, 1968), 5-9.

[41] Steven Lawson and Charles Payne, *Debating the Civil Rights Movement, 1945-1968* (Lanham, MD: Rowman and Littlefield Publishers, Inc., 1998), 4.

University produced many brilliant lawyers that would challenge segregation and social injustice. Men such as Dr. Mordecai Johnson provided a much-needed platform in which others such as Dr. Martin Luther King and Charles Howard Houston could spur the nation in correcting the gross social injustices of the past.[42]

Dr. Johnson's Emancipation Day Address at the Bethel AE church in Baltimore, Maryland on January 10, 1954, highlighted the importance of education in the pursuit of civil rights. He notes the policy used by white people in the South since 1863, the initial Emancipation Day, and that kept black people under white thumbs by not allowing them to learn or hold any skilled labor positions.[43] He proclaims that until segregation is gone from the nation, black people will never turn the corner, despite the progress they have made since the end of slavery. Segregation affirmed the historical belief that white Americans were better than others; therefore, it was essential that segregation be overturned. Dr. Johnson's position gave others the poise needed to push harder for social justice.

African American students needed to attend white schools in order to foster relationships to become part of the nation and to provide equal opportunity to advance within society. Even if relationships were negligible, there was something to be gained from the daily interaction. Along with the social impact, the use of public schools as an institutional means to build a nation was well established by 1950. It was vital that African Americans became part of the "nation's schools" in order to transcend their second-class citizen status. Just as early African American leaders understood that

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[42] Davis Houck and David Dixon, eds., *Rhetoric, Religion, and the Civil Rights Movement, 1954-1965* (Waco, TX: Baylor University Press, 2006), 20-25.

[43] Davis Houck and David Dixon, eds., *Rhetoric, Religion, and the Civil Rights Movement, 1954-1965,* 27-9.

education and public schooling was essential to eradicating social injustice, white supremacists knew that by way of public schooling they could maintain white superiority. The battle over American society would be fought and decided through governmental institutions, especially the public school system.

White children were attending public schools before desegregation with a high level of energy, confirmed by the yearly increase of school attendance from 1870 to 1930.[44] School was seen as an essential step to educating children in societal norms and beliefs. State school systems could condition children to hold a certain viewpoints of society. African American leaders, just as the proponents of white superiority, understood that in keeping the races segregated the future generations would maintain the status quo of racism and social injustice. State governments in the South further perpetuated this sense of racial superiority by displaying a blatant disregard for the court's decision in *Plessy v. Ferguson*. On a state funding level, *Plessy* had forced state governments to spend equally on both black and white schools; however, because the states allowed for county control of the monies, misappropriation of the funds was reality.[45]

In 1930, the average expenditure for white students in the South was roughly forty-four dollars, compared to a shocking thirteen dollars per each black student.[46] By 1960 those numbers were not that much better. Disproportion of the funds to black

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[44] John W. Meyer, David Tyack, Joanne Nagel and Audri Gordon, "Public Education as Nation-Building in America, 1870-1930," *Journal of Sociology* 85 (1979), 591 to 613.

[45] R. Scott Baker, *Paradoxes of Desegregation: African American Struggles for Educational Equity in Charleston, South Carolina, 1926-1972* (Columbia, SC: University of South Carolina Press, 2006), 89-92.

[46] Walter G. Stephan, "Brief Historical Overview", in *School Desegregation: Past, Present, and Future*, ed. Walter G. Stephan and Joe R. Feagin (New York: Plenum Press, 1980), 6-13.

schools in the South meant that the schools were often operating at double or triple capacity. In addition, they did not have proper textbooks or faculty.[47] While the disparity in state educational funding between the legally separated black and white schools was a great issue, black communities sought to achieve the greatest educational advancement possible. Challenging the adversity they were facing, black teachers, administrative leaders, parents, and their children became a highly cohesive unit driven by unjust treatment. Black students were eager to go to school and continue to grasp for a future in which they were treated as equals. They were convinced that equality could not be reached until they had equal opportunity to educational success.

The springboard to the Civil Rights Movement was the Supreme Court case of *Brown v. The Board of Education* in 1954. The case provided a collective ruling on similar cases to that of the plaintiff Oliver Brown's. The Supreme Courts' ruling declared that laws that maintain separate-but-equal schools was in violation of the constitutional right to equal protection under the law.[48] State governments were routinely circumventing the "separate-but-equal" clause by providing greater funds for white schools in comparison to black schools. Before *Brown* there were cases like *Briggs v. Elliot* (1951) that sought to challenge the system of funding for the separate schools, but they fell short of achieving social equality. The *Brown* ruling was a tremendous victory for civil rights because it gave the case for social justice legitimacy.[49] The Supreme Court went further

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[47] R. Scott Baker, *Paradoxes of Desegregation: African American Struggles for Educational Equity in Charleston, South Carolina, 1926-1972* (Columbia, SC: University of South Carolina Press, 2006), 84-90

[48] John Egerton, "Walking into History: The Beginning of School Desegregation in Nashville, TN."

[49] Steven Lawson and Charles Payne, *Debating the Civil Rights Movement, 1945-1968* (Lanham, MD: Rowman and Littlefield Publishers, Inc., 1998), 23-30.

to hold that black students could not attain proper education under segregation because there was a perception of racial inferiority at black schools. Concluding with the fact that the desegregation of public schools was the only way future equality could be attained.

Civil Rights Legislation and its Effects

Using *Brown v. The Board of Education* as a stepping-stone, NAACP lawyers were able to challenge more aspects of the Jim Crow South and increasingly pressured the federal government to promote social justice. The African American community also increased their efforts in challenging social injustice. The *Brown* case, while extremely helpful to the cause for equality, had also produced massive resistance by white Southerners. White politicians in the South made it their priority to resist complying with any measures passed by the court that promoted mixing of the races. Future legislation regarding civil rights would be challenged every step of the way.

Increased resistance to measures for equality only proved to fast track laws and measures that were to protect African Americans. Events like the Montgomery Bus Boycott and the integration at Little Rock Central High had brought matters of social justice for African Americans to the top of public interest. The Supreme Court had at least begun to enforce the law. Finally, those on the bench were beginning to defend both the integrity of the Constitution and the ideals America was presenting to the world.

Pushed by Supreme Court rulings on constitutional issues of race, President Dwight Eisenhower used the executive branch to enforce federal legislation and policy in compliance with the new Supreme Court rulings. Despite President Eisenhower being a gradualist, or a person calling for slow change to social injustice, he would sign the first of many new Civil Rights bills in nearly a hundred years. Eisenhower's signature on the

Civil Rights Act of 1957 marked a victory for social justice, but the watered down bill also showed the resistance to future equality for African Americans. Eisenhower's follow through of Truman's plans for adding a Civil Rights Commission to investigate racial problems, as well as adding a Civil Rights Division to the Justice Department sought to fight the growing resistance to civil rights.[50]

Shortly after the passage of the 1957 Civil Rights Act America elected John Kennedy and Lyndon Johnson to fill the executive branch in 1960, a move that would prove to ensure greater federal protection of social justice in the future. The election of Kennedy also caused a greater rift between the Southern Democrats and the rest of the Party. Members of the Civil Rights Movement aligned with Kennedy hoping that finally they could influence the federal government to take a greater role in advancing social justice. The move of the liberal wing within the Democratic Party towards the goals of the Civil Rights Movement intensified the anger of Southerners and caused greater reactionary measures to take place. Kennedy's death in 1963 left the presidency to Lyndon Johnson, a Democrat from Texas. President Johnson became be responsible for passage of both the Civil Rights Act of 1964 and the Voting Rights Act of 1965. Both of those pieces of legislation solidified legal protection against the previous years of social injustice. Those important federal laws were a major victory for African Americans, but they could also be seen as laws that limited future harmony between the races.

Those early laws and institutional measures trying to rid the country of social injustice while helpful proved not to be enough. Increased student activism, protests, and legal challenges over the next few years would prove more fruitful for the cause. The

[50] Steven Lawson and Charles Payne, *Debating the Civil Rights Movement, 1945-1968* (Lanham, MD: Rowman and Littlefield Publishers, Inc., 1998), 23-30.

NAACP had become a forceful legal machine, students had found their voice, and Civil Rights leaders were tired of being passed along by white politicians. They aimed to end their struggles and lead America toward better days. While the political implications were messy for Northern Democrats, they were able to pass laws such as the Civil Rights Act of 1960. Both the Civil Rights Acts of 1957 and 1960 were products of Eisenhower's administration, and were seen as mostly ineffectual by Civil Rights leaders. The passage of the both the Civil Rights Act of 1964 and the Voting Rights Act of 1965 made legal segregation illegal and made the advancement of social justice a federal responsibility.

III

Societal Reaction to Integration

School desegregation was a central and necessary aspect to the advancement of social justice within the United States. The *Brown* decision made legally recognized measures enacted to keep the races separate illegal. Yet the laws could not force societal acceptance of social equality. Initially, the black community saw *Brown*, the Civil Rights Act of 1964, and the Voting Rights Act of 1965 as great victories for social justice. Some however, would come to question the legacy of *Brown* in the coming decades. During the 1950s and 1960s Civil Rights leaders, along with the Supreme Court, saw *Brown* as a central plank in securing equality for blacks in America.[51] In the struggle for equal opportunity and social justice, African Americans believed school desegregation was an indispensable goal to achieving their dreams.

The conclusion of World War II brought new and increased public pressure for social change in the legally segregated South. The desegregation of the military in 1948 was also a great victory for social justice advancement in America.[52] The newly integrated military brought increased wages and government acknowledgement to an African American community desperate for social equality. Along with those visible effects, military desegregation explicitly made it known that African Americans had just as much of a right to the great ideals that they were fighting and dying for as white Americans did. Building off the success of military integration, Civil Rights

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[51] Martha Minow, *In Brown's Wake* (New York: Oxford University Press, 2010), 5.

[52] Steven Lawson and Charles Payne, *Debating the Civil Rights Movement, 1945-1968* (Lanham, MD: Rowman and Littlefield Publishers, Inc., 1998), 100-111.

organizations would exert greater efforts towards advancing social justice, particularly focusing on desegregating public schools.

Discrimination, often of a violent nature, against African Americans caused them to seek greater education and advancement during this period. Individual experiences by leaders like J. A. Delaine in Clarendon County, South Carolina, and Birmingham, Alabama's Fred Shuttlesworth fueled grass root activism. Both of these men were nominated by their respective communities to lead the local charge for social justice, and both were beaten, harassed, and subject to death threats aimed at chasing them out.[53] Yet, neither of these men would back down, and because of them, and others like them, more and more African Americans were determined to rise up and break through the second-class stigma that had been attached to them for so long.

Determined to change the status quo, desegregation was crucial to advancing social justice, and both sides understood what that meant. Both blacks and whites sought to promote their vision of America with great energy. Evidence of this can be seen in the film footage of black students entering white schools for the first time. Famous case studies such as Central High in Little Rock, AR, Nashville Public Schools, and Clinton High School in Anderson County, TN show the tension that arose from desegregation.[54] Riots, bombs, the need for Federal troops and local police to escort black students into the schools, and the formation of white supremacy groups filled the headlines during the 1950s in response to school desegregation.

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[53] Steven Lawson and Charles Payne, *Debating the Civil Rights Movement, 1945-1968* (Lanham, MD: Rowman and Littlefield Publishers, Inc., 1998), 100-109.

[54] John Egerton, "Walking into History: The Beginning of School Desegregation in Nashville, TN," *Southern Spaces*, (May 4, 1009) www.southernspaces.org (accessed November 17, 2012).

While white adults conducted the majority of the organized protest and violence, white school age children would also voice their opinion. Because they were conditioned to believe that black and whites do not belong together, most white children were full of anger and hate because black students were becoming part of their society, and more immediately their schools.[55] In the face of such great adversity, many African Americans would ban together and march their children into these schools as well as formulate massive resistance, creating what is know today as the Civil Rights Movement.

The Effects of School Desegregation

While determined to achieve equality, the coming years would prove to be very complicated because of the lasting psychological effects on African Americans due to decades of segregation. African American students of this era, along with verbal and physical abuse, saw the vastly unequal conditions of their schools compared to white schools. These conditions served to fortify the sense of inferiority and anger. Furthermore, studies conducted to explore the psychological effects segregation had on children produced chilling results. Black students felt lesser about themselves compared to white students, because of the feeling of superiority or inferiority, there was a level of prejudice that both black and white students held against the other.[56] Desegregation was thought of as the first step of eliminating the sense of black inferiority.

While the leaders of the black community knew that desegregation would mean a dismantling of their schools, a fact some were not happy about, others were aware that it

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[55] John Egerton, "Walking into History: The Beginning of School Desegregation in Nashville, TN."

[56] Walter G. Stephan, "Brief Historical Overview", in *School Desegregation: Past, Present, and Future*, ed. Walter G. Stephan and Joe R. Feagin (New York: Plenum Press, 1980), 15.

was the only way to bring blacks up to an equal standpoint as whites. Thurgood Marshall realistically stated, "The only way to get white folks to give us decent schools was to make it their schools too."[57] There are debates over the effectiveness of desegregation and if it was even a solution to equality. However, it was understood the education was the central point to future African American success and it was known that the best path towards that future required African American students to be able to attend the better maintained white schools.

The NAACP concluded that desegregation was the most effective means to bettering the condition of African Americans in America.[58] Most African Americans agreed with this approach, but not without some reservations. W.E.B. Du Bois summarized those concerns, he stated, "Theoretically, the Negro needs neither segregated schools nor mixed schools. What he needs is Education."[59] He went on to say that he was referring to the fact that schools taught by African Americans were better for the black youth than having the black school children enroll in white schools where they were treated poorly. The majority of the Civil Rights leaders understood this point, but they felt it would all mean nothing if the races were still separated.

School desegregation was bitterly contested by whites after the decision in the *Brown* case. Throughout the entire country, communities were being redefined as government sought to rectify years of *de jure* and *de facto* segregation. Either because of

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[57] Martha Minow, *In Brown's Wake* (New York: Oxford University Press, 2010), 1

[58] Alvin F. Poussaint, and Toye Brown Lewis, "School Desegregation: A Synonym of Racial Equality," in *School Desegregation: Shadow and Substance*, ed. Florence H. Levinsohn and Benjamin D. Wright (Chicago: The University of Chicago, 1976), 20-30.

[59] Martha Minow, *In Brown's Wake*, 13.

legal segregation, housing development restrictions based on race, or just because of the formation of ethic neighborhoods in cities the federal government had to devise a way to have the schools represent the desegregated society proponents of social justice were hoping for. Unlike the South, elsewhere in the country legal segregation had been eradicated for many years, however, racial issues were still present. *De facto* segregation defined the regions of the North and West. Slavery and societal norms presented an informal prejudice in areas outside of the South, while not as obvious; *de facto* segregation was just as harmful to the advancement social justice.

Many cities and towns had neighborhoods that were already ethnically settled, and when the migration of blacks from the South to the North occurred, blacks were usually corralled into specific areas.[60] *De jure* and *de facto* segregation led to local schools in either white or black neighborhoods having eighty or ninety percent majorities. Due to actions taken under the "separate-but-equal" court ruling, white schools were better funded and maintained.[61] This meant that the African Americans were to integrate into white schools, often against their own will.[62] Neither side was particularly thrilled with the policy, but it would be the white families who were the most vocally opposed. They rallied around their politicians and community organizations to defend their "way of life."

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[60] United States Commission on Civil Rights, *Becoming less Separate? School Desegregation, Justice Department Enforcement, and the Pursuit of Unitary Status*, (Washington D.C.: U.S. Commission on Civil Rights, 2007), 3-6.

[61] R. Scott Baker, *Paradoxes of Desegregation: African American Struggles for Educational Equity in Charleston, South Carolina, 1926-1972* (Columbia, SC: University of South Carolina Press, 2006), 84-90.

[62] Michael Littleford, Case study of a desegregation administrative policy upon a social subsystem. The journal of negro education, vol. 42 no. 2, 1973

Opposition to desegregation by whites in the 1950s and 1960s was based largely, but not solely, on racism. The support of the Civil Rights Movement by liberals and non-Southerners had brought school desegregation efforts squarely on Southern schools. Southern whites violently rejected court mandates to desegregate the schools in front of the whole nation. Legally, they saw it as intrusive. The federal government was interfering into state matters. They saw this as detrimental to the "Southern" way of life. White Southerners challenged the courts' decision by boycotting schools all together, closing schools instead of integrating, engaging in violent acts towards blacks with hopes of deterring their attendance to the schools, and fighting through political channels.[63]

Notably, a major declaration of opposition to school desegregation was the 1956 Southern manifesto, which was signed by 101 southern senators and congressman that declared integration "contrary to established law."[64] While white politicians were trying to combat desegregation through legal methods, other whites sought criminal methods to deterring black attempts at social justice. The Ku Klux Klan and other organizations were instrumental to white resistance of desegregation. The Klan attacked and murdered African Americans, believing their efforts would deter blacks from entering white schools. The deliberate show of aggression by whites in the South caused a nationwide push for increased federal efforts to eliminate the terrible injustices of racism.[65]

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[63] Joe R. Feagin, "School Desegregation: A Political-Economic Perspective," in *School Desegregation: Past, Present, and Future*, ed. Walter G. Stephan and Joe R. Feagin (New York: Plenum Press, 1980), 40-47

[64] Walter G. Stephan, "Brief Historical Overview", in *School Desegregation: Past, Present, and Future*, ed. Walter G. Stephan and Joe R. Feagin (New York: Plenum Press, 1980), 17.

[65] Steven Lawson and Charles Payne, *Debating the Civil Rights Movement, 1945-1968* (Lanham, MD: Rowman and Littlefield Publishers, Inc., 1998), 19-23.

A Period of Great Change

Advocates for social justice saw increased support for their cause in the 1960s following the tragic events that were taking place in the South. Civil right leaders, federal government officials, and liberals began to seek more measures to assure social justice. *De jure* segregation in the South prompted increase action to achieve social justice; however, social injustice could be found elsewhere in the country where *de jure* segregation did not exist. Pressure from the African American community and civil rights organizations had forced federal recognition of the social injustice in America. The new issue was how to integrate communities that were segregated due to housing statutes and *de facto* segregation. The courts and the federal government could declare segregation illegal, but did they have the power to enforce desegregation by any means necessary?

When President Lyndon Johnson signed both the 1964 Civil Rights Act and the 1965 Elementary and Secondary Education Act into law he ensured federal assistance to social justice. The 1964 Civil Rights Act had a provision that required proof of desegregation in order for that school district to receive federal funding.[66] Once the 1965 Elementary and Secondary Education Act was passed, a flood of new federal funds became available to the public school districts. In response to those laws, schools began to desegregate, but often at a deliberately slow pace. Desegregation was occurring, ironically, faster in the South than in the North. By 1972, because of the efforts of Presidents Johnson and Richard Nixon the desegregation rate for schools in the South

[66] The Avalon Project, "Transcript of Civil Rights Act 1964," http://www.ourdocuments.gov/doc.php (accessed on February 11, 2013).

was forty-four percent, but only twenty-nine percent in school of the North and West.[67] Due to several factors, the methods of school desegregation would take a different turn in the 1970s.

The Supreme Court from 1950 to the late 1960s, along with Civil Right leaders, was focused on school desegregation as the means to combat segregation, but by 1970 the focus would shift to school integration.[68] White resistance to desegregation prompted new action from the federal government. Schools were not being desegregated in a reasonable time frame, since the 1954 *Brown* decision schools were only moderately desegregated in the South and not much more desegregated in 1965 than 1975 in the Northern and Western schools. Civil Rights leaders and federal official sough to rectify this problem. The previous years of great social change and the growing demand for greater equality along with a change in the ideology of administrations and court officials had produced a change in how social justice was to be achieved in the schools. School integration was seen now as a more efficient way to bring African Americans up to a level playing field. However, *de facto* segregation had created homogeneous ethnic neighborhoods, so the question was how could America get the children of different races from different neighborhoods together? Ultimately, legislators and judges settled on school busing.

Busing became a very hot button issue during the 1970s. Townships and cities that were under mandate to begin busing school children from predominately white

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[67] Joe R. Feagin, "School Desegregation: A Political-Economic Perspective," in *School Desegregation: Past, Present, and Future*, 37.

[68] Joe R. Feagin, "School Desegregation: A Political-Economic Perspective," in *School Desegregation: Past, Present, and Future*, 35-38.

schools to predominately black schools and vice versa.[69] The purpose of busing was to achieve racial diversity in the schools with hopes of reducing social injustice. The logic behind busing was valid, but ultimately busing proved to be a social disaster. Middle class and poor whites saw busing as a direct attack on their children as busing tended to focus on their neighborhoods and often excluded the wealthy white neighborhoods.[70] Wealthy white families were able to either keep their schools mostly white or send their children to private schools.

On the other hand working-class whites were often unable to move to a better school district or send their children to private schools.[71] As previously mentioned black schools were far less maintained than white schools, so it logically followed that working class whites did not want their children to have an educational disadvantage in attending those schools. Surveys conducted during the 1970s and 1980s show that racial bigotry was not the only reason whites had against busing.[72]

Similar to the African American position in the 1960s, poor and working class whites simply wanted the best opportunity for their children to succeed. It was not unknown to parents that the schools associated with black neighborhoods were inferior to the schools in white, especially white suburban communities. Therefore, the negative

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[69] Robert Crain, Rita Mahard, and Ruth Narot, *Making Desegregation Work: How Schools Create Social Climates* (Cambridge, Mass.: Ballinger Publishing Company), 50-60.

[70] McKee McClendon, "Racism, Rational Choice, and White Opposition to Racial Change: A Case Study of Busing," *The Public Opinion Quarterly*, vol. 49, no. 2 (Summer 1985): 214-233

[71] A. Wade Smith, "White Attitudes toward School Desegregation, 1954-1980: An Update on Continuing Trends," *The Pacific Sociological Review*, vol. 25, no. 1 (Jan. 1982): 3-25.

[72] McKee McClendon, "Racism, Rational Choice, and White Opposition to Racial Change: A Case Study of Busing," *214*-233.

response to busing stemmed from a few roots of opposition, and of those was the belief that parents were forgoing their duty to their children by having them bussed to schools where they were not going to have the best chance of success.

On the surface, desegregation seemed to be a disaster. Violence was occurring all over the nation and race relations seemed to be reverting backward, but there was in fact real lasting change. In the shadows of the headlines, African American and white American relations were improving among the youth.[73] Relationships were forming and economic prospects were improving for African Americans.

[73] A. Wade Smith, "White Attitudes toward School Desegregation, 1954-1980: An Update on Continuing Trends," 3-25.

IV

Social Justice within Higher Education

The 1970s proved to be very controversial, busing and plans of action to advance social justice within the public school system in America caused great racial tension. Although African Americans saw increased federal protection of their rights, a society founded and controlled by whites left many African Americans distrustful of authority and institutions. Slavery had left major racial divides between whites and blacks in America. African American needs and concerns were different than those of white Americans and African Americans often felt that white Americans failed to understand those needs. Feeling the lack of power to initiate change in white-controlled institutions, some African Americans would resort to violent measures.[74] Their actions were not usually done out of arbitrariness. A vast majority of the instances occurred when clashes between whites (typically ones in a position of authority) and blacks produced reactionary protests and outbursts. While done out of frustration due to the lack of opportunity and power to change their conditions, these cases typically served to place fear into whites, causing race relations to relapse further.

An attempt to alleviate poor economic conditions for African Americans was an ever-present goal of social justice advocates. It was one of the main reasons behind desegregating schools. In the new world of corporate power proponents of social justice sought more ways to help African Americans. Just as with public elementary and secondary schools, desegregation of colleges and universities shifted to an integrate first

[74] Samuel Rubin and Alice Pisciotto, *Racial Interaction in School and Society* (New York: Vantage Press, 1974), 15-20.

policy. Shedding the philosophy behind desegregation, in favor of the faster and less costly policy of integration proved to lessen the forward movement of social justice. Instead of creating a world were America sought to correct and cure its racially charged past, Americans settled for a world where a blend of ideals and practical solutions sought to produce social justice.[75] In describing a newly integrated school, Janet Schofield comments. "Although this school did make many provisions to meet its special responsibilities as an interracial school, its experience underlines the problems associated with approaching interracial schooling with even a remnant of the 'business as usual' attitude."

Schofield's insight into that particular school translates to other integrated schools. Mostly white administration and faculty, who saw the schools under the same light as before integration, operated the integrated schools. Due to the their lack of opportunities at quality and advanced education before integration, many African American students were ill prepared for high school, let alone having the means necessary to prepare to advance to college.[76] Poor results on comprehensive and standardized tests would place white students in the better or gifted programs, whereas black students would comprise most of the classes for lower achieving students.[77] Between the poor academic achievement and the overwhelmingly white composition of the faculty and administrative members, black students where not making the positive

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[75] Robert Crain, Rita Mahard, and Ruth Narot, *Making Desegregation Work: How Schools Create Social Climates* (Cambridge, Mass: Ballinger Publishing Company, 1982), 243-249.

[76] Edgar A. Epps, ed., *Black Students in White Schools* (Worthington, Ohio: Charles A. Jones Publishing Company, 1972), 60-63.

[77] Samuel Rubin and Alice Pisciotto, *Racial Interaction in School and Society* (New York: Vantage Press, 1974), 11-16.

strides that many had hoped for. Many proponents of social justice were beginning to see that due to the destructive legacy of slavery, increased efforts to bring African Americans up to an even playing field were necessary.

It is not to say that desegregation was not shorting the gap between academic achievements between black and white students, because it was, but it was not going far enough, for instance, in integrated schools black students performed better on standardized tests. Studies conducted during the 1970s shown that schools that were sixty-five to eighty percent white provided the best environment for black students to perform well.[78] Experts have discussed the need for a group to possess an identity; they conclude that the African American community was trying to form a sense of identity in the years following the Civil Rights Act of 1964. Black students were trying to form a positive identity within the white institutions with the hopes of bettering their chances at success. Integrated schools have proven to aid advancement of social justice, the problem was getting schools to have a good balance of integration and desegregation.

Data suggests that schools that had a sixty-five to seventy percent white population provided enough of a positive community for African American students, while at the same time did not threaten the status of the white population at that school.[79] Prejudices and unfamiliarity of white youths and adults within the schools discouraged academic success for black students in those schools outside of the sixty-five to seventy percent white range. A low black population produced white superiority and a higher black population created an uncomfortable and sometimes frightful experience for

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[78] Robert Crain, Rita Mahard, and Ruth Narot, *Making Desegregation Work: How Schools Create Social Climates*, 71.

[79] Robert Crain, Rita Mahard, and Ruth Narot, *Making Desegregation Work: How Schools Create Social Climates,* 68-72.

whites. Race relations were put under tremendous strain because of how the public school institution sought to desegregate. The African American community felt powerless in regards to having their specific needs met within the schools and whites felt that their advantageous status was being threatened.[80] While positive, but slow advances of social justices for African Americans were being made, violent outbursts occasionally outshone much of the improvement gained.

The poor economic condition of many within the African American community had pushed a segment of African American leaders to not condemn violent student protest. Some in the black community became tired of failing to produce change within the system started to fall silent in cases were the youth protested with violence. They did not encourage violence, but they did express the idea of fighting back. The "Black Power" movement that began in the mid-1960s exemplifies this mood. The mid-to-late 1960s also saw an influx of neighborhood riots. Riots in the Watts section of Los Angeles, Detroit, and in Newark, NJ showed the nation just how frustrated the black community had become.[81] Poor housing, little opportunity for economic advancement, crime, and police brutality were some of the facets of life that African Americans were frustrated with. They were so frustrated with those conditions that displays of unruly force by a white person in a position of authority against an African American were enough to spark large scale and violent riots.[82] Due to increased government funding of

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[80] Samuel Rubin and Alice Pisciotto, *Racial Interaction in School and Society,* 40-51.

[81] Unit 14 The Civil Rights and Black Power Era: Gains and Losses, 1954-1970, http://slic.njstatelib.org/NJ_Information/Digital_Collections/AAHCG/unit14.html (accessed January 6, 2013).

[82] Eugene Holmes, "A Philosophical Approach to the Study of Minority Problems," *Journal of Negro Education* 38 (Summer 1969): 196-203.

social services for minorities and the understanding that the riots caused more damaged to the black communities than to whites, the riots became almost non-existent by 1970. However, by this time many whites fled out of the urban areas out to the suburbs creating a phenomenon known as "white flight." As whites left the cities, the once-integrated schools began to again become much less diverse.

Even though the decade of the 1970s was very turbulent in regards to race issues, a very important step forward for both social justice and race relations was occurring in America's colleges. Just as the primary and secondary schools were desegregating, higher education in America was doing the same. African American college students conducted many of the important Civil Rights events. While at the time many African American students were barred from attending the white universities and colleges, they took advantage of the commissioned black schools defined by law as equal. African American students in those colleges and universities took their roles very seriously and were determined to make the most of their opportunity until.

African Americans in Universities

Admission to higher education institutions is and was largely based on academic success in secondary schools. Combine that with the historic notion of African American inferiority and a picture begins to come together of unequal and unfair conditions for African American social advancement opportunities. Both the lack of help for academic success and the lack of institutional support left many black students unprepared for higher education.[83] Many of the African American students within the higher education system found the college experience during the 1970s to be one associated with negative

[83] Robert Crain, Rita Mahard, and Ruth Narot, *Making Desegregation Work: How Schools Create Social Climates,* 178-185.

emotions. Studies show that many African American college students felt unprepared, discriminated against, and left out of the college experience.[84] The overall mistreatment of African Americans in the secondary schools resulted in a large number, upwards of eighty percent of all degrees earned of African Americans to come from Historically Black Colleges and Universities.[85] These schools created a different atmosphere of racial pride in higher education compared to secondary schools due to the fact that historically black universities were often seen as places of black pride, rather than disadvantage.

Similar to the call for desegregation of public elementary and high schools, Civil Rights leaders pushed for higher education desegregation. Black leaders were determined to make sure that African American students had the chance to be as prosperous as possible and that meant enrolling into any of the nations' colleges the student so chose. President Lyndon Johnson gave an important speech at Howard University in 1965 that identified the problem. He stated "You do not take a person who, for years, has been hobbled by chains and liberate him, bring him up to the starting line of a race and then say, 'you are free to compete with all the others,' and still justly believe that you have been completely fair."[86] President Johnson's point was that there was a need for better policy to grant African Americans equal opportunities, both to attend schools and be on the same playing field as white Americans in the job market.

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[84] William Boyd, II, *Desegregating America's Colleges: A Nationwide Survey of Black Students, 1972-73* (New York: Praeger Publishers), 1974. 18-28.

[85] Samuel Rubin and Alice Pisciotto, *Racial Interaction in School and Society,* 72-74.

[86] President Lyndon B. Johnson, "Commencement Address at Howard University: "To Fulfill These Rights," June 4, 1965, http://www.lbjlib.utexas.edu/johnson/archives.hom (accessed February 22, 2013).

An important policy allowing a more equal chance at getting into and succeeding in higher education, and more importantly the workplace, was a known as affirmative action. Affirmative action is a program consisting of many facets that seeks to secure civil rights of particular groups of people that have been historically discriminated against.[87] Although over the years there were attacks on the program, The Supreme Court sustained the validity of the program because of its attempts to fix decades of social injustice. In 1965, a bipartisan movement launched this policy as a means to address the widespread discrimination against women and minorities.[88] Affirmative action was based upon President Johnson's address to Howard University. The Equal Employment Opportunity Act signed into law by President Richard Nixon was supposed to make up for the disparity of years of discriminatory practices in America. The Equal Employment Opportunity Act did advance opportunity for African Americans, but it also served as another divisive agent between the races.

Lawmakers who drafted the Act and its supports hoped that giving an equal opportunity to minorities would improve their chances at becoming economically successful. Proponents claim the purpose for affirmative action is to level the playing field that has been tilted towards white males since the inception of the country.[89] Opponents saw affirmative action as an unfair policy that undermines fairness and equality. While over the years affirmative action has been a very hot button topic, studies

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[87] Terry H. Anderson, *The Pursuit of Fairness: A History of Affirmative Action* (New York: Oxford University Press), 2005.

[88] Christine Reyna, Amanda Tucker, William Korfmacher and P. J. Henry, "Searching for Common Ground between Supporters and Opponents of Affirmative Action," *Political Psychology*, 26 (October, 2005), 667-682.

[89] Christine Reyna, Amanda Tucker, William Korfmacher and P. J. Henry, "Searching for Common Ground between Supporters and Opponents of Affirmative Action."

have found that overall most students, and adults approve of affirmative action for educational and training purposes. However, while most women and minorities approve of affirmative action for job promotions, white males tend to be far less supportive. [90]

At the same time that the Equal employment Opportunity Act was passed the "Black Power" movement really took hold of college campuses. Black students sought to identify together for both security and advancement.[91] They banned together because of mistreatment within the school system, they were skeptical of white teachers because they tended to perform lower academically. The movement within higher education served as an environment where racial issues could be discussed and advanced. The increase of African Americans that received advanced education benefited society as a whole. African Americans were demonstrating their worth and discrediting racist attacks against the abilities of African Americans. New graduates of the universities took their advanced degrees and wrote about, protested for, and encouraged advancement of social justice. These new trained African Americans were taking lead educational roles as well as important roles in government and the professional workplace.

As the 1970s progressed, increased interaction between the races and policies like affirmative action had provided greater opportunities for social justice. The shared experiences both in secondary and higher education had narrowed the gap between the two races. While there were still issues arising from integration and previous discrimination, the efforts to create an equal playing field for all American citizens had

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[90] Anke Schmerment, Robert Sellers, Birgit Mueller and Faye Crosby, "Attitudes toward Affirmative Action as a Function of Racial Identity among African Americans College Students," *Political Psychology*, 22 (December, 2001), 759-774.

[91] Peter Wallenstein, ed., Higher Education and the Civil Rights Movement: White Supremacy, Black Southerners, and College Campuses (Gainesville, FL: University of Florida Press), 2008.

achieved some success. Although the issues came to head often violently, nevertheless discussions were beginning to take place and the children of the integrated schools were coming into a world without legal discriminatory laws and societal practices. Studies like one completed by Rucker Johnson, an associate professor at the Goldman School of Public Policy of the University of California at Berkeley, found that school desegregation and policies that aided social justice produced positive lasting results. Johnson found in his study of over four thousand children born between 1950 and 1975, those African American children who were exposed to desegregated schools held higher annual incomes over those children who were not. In addition to higher incomes, children from desegregated schools boasted higher graduation rates. His study went further to show that each additional year of exposure to desegregated schools increased the earning and graduation rates.[92] School desegregation along with economical and educational advancements has also improved race relations.

[92] Rucker Johnson, *Long-Run Impacts of School Desegregation and School Quality on Adult Health* (Berkley, CA: University of California) 2010.

Conclusion

There is little doubt that race issues are still a part of American society, but there has been positive development. The desegregation of the public schools in American served to significantly weaken the psychological belief of inferiority for African Americans. Even with evidence suggesting a more segregated society today than in 1960, without school segregation there would be greater division between whites and blacks today. School desegregation broke the second-class stigma that African Americans had experienced for so long. Integrating the schools, along with the rest of the public institutions broke legal discrimination and racism as well as developed an environment where children could foster relationships. Public school desegregation also allowed for more diversity in education, both physically and academically. While significant measures were taken against social injustice as a result of school desegregation and other laws, American society needed to continue to improve.

The rise of the Civil Rights Movement and the subsequent black power movement served both to aid and to inhibit the evolution of equality between the races. The victories of the Civil Rights Movement were essential to advancing social justice in America. In essence, federal help to secure laws that defended social justice produced a sense of completion for the masses of the Civil Rights Movement. The Civil Rights Act of 1964 and the Voting Rights Act of 1965 served as a conclusion to the movement for equal rights. Many African Americans were now content to place future societal change in the hands of the government. Governmental policy of school desegregation, protection of voting rights, and a greater conscience of social injustice, allowed African Americans to feel that the federal government would continue to advance social justice.

The turn from an ideological push for social justice to a legal standard for equality changed the American landscape. The 1950s and early 1960s saw a movement fueled by the idea that all members of America deserved the great benefits that came with citizenship and the general idea that all peoples were created equally. As African Americans fought with those ideals, a large segment of white Americans sought to inhibit social equality based on historical societal norms and racism. Despite the violent actions practiced by some white Americans against African Americans, African Americans continued the push for equality. The long decades it took for African Americans to reach a position were real social change could happen were marked by a federal government that finally intervened and granted protection of rights. Those protected rights were the fruit for all the hard labor endured by African Americans in the past; however, these laws failed to significantly change American society.

The failure of the laws to change society continued to frustrate the African American community. School desegregation was a slow and arduous process. Whites declined to extend greater help to African Americans who were just coming into their schools. That meant that the hopes of future economical success would be slow. Small steps were taken to advance social justice as some school districts better incorporated the new diverse student body, but larger numbers produced poor results. Integration sought only to incorporate African Americans and white Americans into the same schools. This method failed to take into consideration that most families wanted what would be best for their children. Future economic success of a person's child is a very important concern of parents, no matter the race of the family. Therein lies a lot of the negative response to busing and as well to the movement of "Black Power." White families affected by busing

plans felt targeted and did not want their children to have their future's affected by attending those schools that were associated with poor academic success. On the other side, African American families were disheartened with the treatment and lack of success their children were experiencing in the schools they attended. The misunderstanding and failure to listen to the African American community guided the African American community to take more matters into their own hands.

As African Americans became more frustrated with how the laws and social justice policies were not achieving what they thought they should, they decided that increased action on their part was necessary. African American leaders were not as against increased physical and vocal action as they were before. Attacks, both physical and in legal protest, on civil right activists in the 1950s and 1960s had only affirmed African American beliefs in the 1970s that maybe comparable methods were needed to ensure their cause. Ironically, these increased efforts by African Americans served to confirm racist white beliefs that African Americans were a violent and unruly people. While white Americans fled to suburbia, African Americans were unable to better their conditions in the urban environments. This disconnect between the two perpetuated itself in the political arena, and in society in general. However, despite the continual feud, advancements in social justice did occur.

School desegregation allowed for an environment where common experiences could occur. Even after the "white flight," schools existed where there was a good racial balance between white and black students. All universities and colleges significantly improved due to greater diversity. Academic disciplines furthered advancement because of the different positions and viewpoints on life. Along with the colleges, the business

community also benefited from integration. As African Americans secured greater social justice as the decades rolled on, increased competition between whites and blacks produced greater success in both school and the workplace. The discussion on racial matters during the decades after 1965 served to alleviate social injustices in the past and construct a method in which problems could be better solved in the future.

At the foundation of the advancement in social justice is the school system. While integration is important to creating a society of equality, poor policy, general attempts to strive towards greater prosperity, and prejudices, have resulted in many school districts having a lack of diversity. However, many schools have benefited from integration and African Americans have great opportunities today to attend schools and colleges that will help them achieve success in life. The influx in properly educated children of all races has served to aid the movement of social justice. Greater emphasis placed on discussing racial matters has helped to show the youth of America the main historical blemish of their country. Understanding the issues is a major part of finding any solution to the problem and in the case of social injustice school desegregation was a vital part of the process to make America the nation that freedom and equality destined it to be.

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